

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Re-issue Application	:	
No.: <i>Not yet assigned</i>	:	
U.S. Patent No. 5,443,722	:	Group Art Unit: <i>Not yet assigned</i>
Issued: August 22, 1995	:	Examiner: <i>Not yet assigned</i>
Entitled: DUPLEX STRAINER	:	

REISSUE APPLICATION CONSENT OF ASSIGNEE

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir/Madam:

Filed herewith is a statement under 37 CFR 3.73(b) stating that Mueller Steam Specialty, a North Carolina corporation having an address of 1491-A NC Highway 20 West, St. Pauls, NC 28384, is the Assignee of the entire right, title and interest in the patent identified above. Mueller Steam Specialty hereby consents to the to the accompanying application for reissue.

MUELLER STEAM SPECIALTY

By: Edwin D. Wright

Name: EDWIN G. WRIGHT

Title: GENERAL MANAGER

Date: 7-14-03

Mueller Steam Specialty
1491-A NC Highway 20
West St. Pauls NC 28384

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STATEMENT UNDER 37 CFR 3.73(b)

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir/Madam:

Mueller Steam Specialty, a North Carolina corporation having an address of 1491-A NC Highway 20 West, St. Pauls, NC 28384, is the Assignee of the entire right, title and interest in the patent identified above by virtue of a chain of title from the inventors of the patent identified above, to the current assignee as show below:

Ownership is established by an Assignment from the inventor of the above-identified patent application to Mueller Steam Specialty, which was recorded in the United States Patent and Trademark Office on February 27, 1991, at Reel 5612, Frame 0551. A copy of the Assignment is attached for convenience.

By: Edwin G. Wright

Name: EDWIN G. WRIGHT

Title: GENERAL MANAGER

Date: 7-14-03

1491-A NC Highway 20
West St. Pauls NC 28384

Assignee of Entire Interest

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings ▼

T the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

Ashvin D. Desai
Robert Whritenour

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

☒ Assignment

☐ **Security Agreement**

☐ Other

☐ Merger

☐ **Change of Name**

Execution Date: August 22, 1994

Name: Mueller Steam Specialty

Internal Address:

Street Address: Route 2, Box 44

N.C. Highway 20 West

City: St. Pauls State: NC ZIP: 28354

Additional name(s) & address(es) attached? ☐ Yes ☒ No

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

08/252.092

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Harold I. Kaplan

Internal Address: Stroock & Stroock & Lavan

Street Address: 7 Hanover Square

City: New York State: NY ZIP: 10004

6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41).....\$ 40.00

Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

19-4709

(Attach duplicate copy of this page if paying by deposit account)

MM20318 09/07/94 08252092

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Harold L. Kaplan

Name of Person Signing

Signature

Total number of pages including cover sheet, attachments, and document: 1

2

Date _____

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

Docket No.:
426625/013

ASSIGNMENT

WHEREAS, WE, ASHVIN D. DESAI and ROBERT WHRITENOUR, citizens of the United States, residing respectively at 7 Trinity Drive, Lumberton, North Carolina 28358, and 4211 Aldwyche Drive, Lumberton, North Carolina 28358, have invented certain new and useful improvements in DUPLEX STRAINER for which we have executed an application for Letters Patent of the United States under Serial No. 08/252,092, filed on June 1, 1994;

WHEREAS, MUELLER STEAM SPECIALTY, a DIVISION OF CORE INDUSTRIES, INC., a Michigan Corporation having a place of business at Route 2, Box 44, N.C. Highway 20 West, St. Pauls, North Carolina 28354, hereinafter referred to as ASSIGNEE, is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said Assignors have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States whose duty is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representative and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

RECEIVED
FBI
JUL 11 1994

IN TESTIMONY WHEREOF, we have set our hands and seals to this Assignment.

August 22nd, 1994

Ashvin D. Desai

ASHVIN D. DESAI

State of North Carolina

County of Robeson

SS.:

On this 22nd day of August, 1994, before me, a Notary Public in and for the State and County aforesaid, personally appeared ASHVIN D. DESAI, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Patricia K. Sealey
Notary Public

August 22nd, 1994

Robert Whritenour

ROBERT WHRITENOUR

State of North Carolina

County of Robeson

SS.:

On this 22nd day of August, 1994, before me, a Notary Public in and for the State and County aforesaid, personally appeared ROBERT WHRITENOUR, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Patricia K. Sealey
Notary Public

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RECORDED
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DECLARATION AND POWER OF ATTORNEY BY THE ASSIGNEE UNDER 37 CFR 1.175

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir/Madam:

As Assignee of record of the entire interest of the above-identified patent, I hereby declare that:

The residence, mailing address and citizenship of the inventors are stated below.

Ashvin D. Desai
Citizenship: United States of America
7 Trinity Drive
Lumberton, North Carolina 28358

Robert Whritenour
Citizenship: United States of America
4211 Aldwyche Drive
Lumberton, North Carolina 28358

I aver that as President of Mueller Steam Specialty having an address of 1491-A NC Highway 20 West ,St. Pauls, NC 28384 (hereinafter "Assignee"), am empowered to sign this statement of behalf of the Assignee. The entire title of the patent identified above is vested in said Assignee.

I believe said inventors to be the original and first inventors of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled *DUPLEX STRAINER*, the specification of which is attached hereto.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by the Preliminary Amendment filed concurrently herewith. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe that the original U.S. Patent 5,443,722, which matured from serial number 252,092, is partly inoperative or invalid by reason of defective specification through error. The errors include, for example, claim 1 of the original U.S. Patent 5,443,722 which recites “a first three-way ball valve for controlling the flow of fluid between said housing, first port, and second port.” The recitation of the “second port” is incorrect and should recite “third port.”

All errors arose without any deceptive intent of the Applicant during prosecution of the original application.

The undersigned hereby grant(s) the firm of BAKER & HOSTETLER LLP the power to insert on this Declaration any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document

I hereby appoint the following attorney(s) and/or agent(s):

Leo J. Jennings	Reg. No. 32,902
Kenneth J. Sheehan	Reg. No. 36,270
Edna Vassilovski	Reg. No. 42,198
Phong Duy Nguyen	Reg. No. 43,833
Dennis P. Cawley	Reg. No. 44,598
Gregory B. Kang	Reg. No. 45,273
Dawn M. Sims	Reg. No. 47,090
Sean A. Pryor	Reg. No. 48,103
William W. Lewis, III	Reg. No. 48,742
Marc W. Butler	Reg. No. 50,219
Stephen S. Fabry	Reg. No. 51,661
P. Alan Larson	Reg. No. 53,184



with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to the address at the aforementioned customer number. with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to:

BAKER & HOSTETLER LLP
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
Tel. 202 861 1500
Fax 202 861 1783

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

MUELLER STEAM SPECIALTY

Assignee of Entire Interest

By: Edwin G. Wright

Name: EDWIN G. WRIGHT

Title: GENERAL MANAGER

Date: 7-14-03

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West St. Pauls NC 28384